

Applicant : Solomon
Serial No. : 09/616,106
Filed : July 14, 2000
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Applicant's Docket No.: SOL00-03
Amendment F

Remarks

This Amendment is in response to the Advisory Action mailed August 24, 2005. Following entry of this Amendment, claims 1-15 and 17-61, and 63-67 will remain pending in the Application. Claims 1-15, 17-61, and 63-67 are allowed. Claims 42 and 62 stand rejected in the Final Office Action mailed June 15, 2005. Claim 42 is being amended responsive to the Final Office Action dated June 15, 2005. The Advisory Action states:

[p]roposed claim 62 directed to an apparatus for controlling an assemblage of actuators (not limited to a deformable mirror as in claim 42) would include new limitations not previously considered and would require further searching for the combination.

Accordingly, Claim 62 is being canceled without prejudice for purposes of expediting prosecution. Applicant reserves the right to claim the subject matter of canceled claim 62 in a continuing application.

Claims 42 and 62 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gullapalli (U.S. Patent 6,424,076) in view of Ben-Yaakov (WO 00/25368).

Claim 62 is canceled as stated above. Therefore, Applicant respectfully submits that the rejection under 35 U.S.C. 103(a) with regard to claim 62 is now moot.

Applicant is amending claim 42 to include similar limitations as previously presented claim 1. In particular, Claim 42 as amended now recites, "means for selectably enabling and disabling said at least one actuator ... said means defined by at least two means, connected in series and each having an open state and a closed state, for combining to perform the enabling and disabling."

As described in reference to claim 1 in Amendment C mailed November 7, 2004 in response to the Office Action dated August 25, 2004, neither Gullapalli nor Ben-Yaakov, alone or in combination, teaches or suggests, "means, connected in series and each having an open state and a closed state, for combining to perform the enabling and disabling" or "combining to apply the reference signal."

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In the Final Office Action dated June 15, 2005, page 3, part 2, last paragraph, Examiner indicates that "wiring and nodes used to connect switches MS1 and MS2 of Ben-Yaakov" can be considered as "means in series." Applicant submits that "wiring and nodes" are not capable of having "an open state and a closed state," as now recited in amended claim 42.

Therefore, Applicant respectfully submits that the rejection of claim 42 under 35 U.S.C. 103(a) should be withdrawn.

Allowed Claim 63 is being amended to remove an extraneous "and" for clarification purposes and is now ready for issuance.

CONCLUSION

In view of the above, it is believed that the application having now pending claims (claims 1-15, 17-61, and 63-67) are in order for issuance. Should the Examiner have any further questions or comments, the Examiner is invited to call the Applicant at the phone number provided below.

Respectfully submitted,

Date: 8/29/05

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